

### **Detailed Action**

### **Allowed Claims**

Claims 1, 4-5, 8 and 11 are allowed over the prior art of record. Claims 2, 3, 6, 9 and 10 have been cancelled.

The Examiner acknowledges the two 37 CFR 1.132 Declarations filed 7/15/08.

### **Examiner's Amendment**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Amy Schmid on 10/14/08.

The application has been amended as follows:

1. Claims 2, 3, 6, 9 and 10 are cancelled.
2. In claim 1, page 2, line 16, the following text is deleted:  
"two or more bases."

And the following text is inserted:

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– two or more bases, wherein at least one of the bases is an inorganic base, an inorganic salt, or an organic metal, and at least one of the bases is an amine. --

3. In claim 4, page 3, line 1, the following text is deleted:

“claim 2”

And the following text is inserted:

--claim 1--

3. In claim 8, page 3, line 11, the following text is deleted:

“claim 3”

And the following text is inserted:

--claim 1--

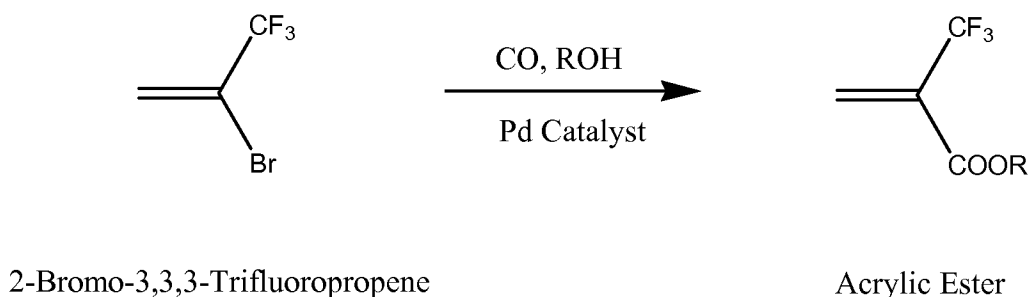
### **Reason for Allowance**

Applicant's claimed invention is directed to a process for producing a fluorine-containing acrylic acid, in which 2-bromo-3,3,3-trifluoropropene is reacted with an alcohol, along with a palladium catalyst, carbon monoxide and two kinds of bases, in which at least one of the bases is an inorganic base, an inorganic salt, or an organic metal, and at least one of the bases is an amine. Applicant has shown in the 37 CFR 1.132 Declaration filed 7/15/08 a side by side comparison using a two-base example resulting in unexpected results for the yields of the products.

The closest prior art is Matteoli et al. (Journal of Molecular Catalysis A: Chemical 143, 1999, 287-295). Matteoli et al. teaches a process for producing a fluorine-containing acrylic acid ester (acrylic ester), in which 2-bromo-3,3,3-trifluoropropene is

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reacted with a straight aliphatic alcohol, among others, along with a palladium catalyst, carbon monoxide and two kinds of bases, diethylamine and triethylamine (page 288, scheme 1; page 292, second column, section 4.1; page 288, second column, third paragraph, second sentence; page 289, table 1).



Matteoli et al. is deficient in that it does not teach that one of the bases is an inorganic base, an inorganic salt or an organic metal.

Matteoli et al. neither teaches, nor suggests the limitations of claim 1 as described above. Nor would it have been obvious to modify Matteoli et al.'s process to arrive at the instantly claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer Y. Cho whose telephone number is (571) 272 6246. The examiner can normally be reached on 9 AM - 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Sullivan can be reached on (571) 272 0779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Jennifer Cho  
Patent Examiner  
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/Daniel M Sullivan/  
Supervisory Patent Examiner, Art Unit 1621